REMARKS

Claims 1-22 are pending in the application. By this Amendment, claims 1, 11, 12 and 21 have been amended. No new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated **March 3, 2004.**

Allowable Claim Subject Matter:

Applicant gratefully acknowledges the indication in page 5 of the Office Action that claims 19 and 20 are allowed.

Applicant also gratefully acknowledges the indication in page 4 that claims 2, 4, 6 and 13 would be allowable if amended to overcome the rejection under section 112 as well as to include the features of their respective base and any intervening claims. However, it is respectfully submitted that all of claims 1 - 18 are allowable for at least the reasons set forth below.

In addition, Applicant also gratefully acknowledges the indication in page 4 that claims 21 and 22 would be allowable if amended to overcome the rejection under section 112.

Claim Rejections under 35 USC §112

Claims 1-18 and 20-21 are rejected under 35 USC §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

This rejection is respectfully traversed.

At the outset, it appears that the Examiner meant to include claim 22 and not claim 20 in this rejection since as discussed above claim 20 has been allowed and claim 22 would be allowable if amended to overcome the rejection under section 112.

With regard to independent claims 1, 11, 12 and 21, it is respectfully submitted that such claims have been amended to overcome this rejection. In addition, with regard to claim 22, it is respectfully submitted that claim 22 fails to include the language at issue regarding a transferring unit that transfers the printing data to a printer without retaining any of the printing data in the controller when printing is resumed after an error has occurred in the printer. As such, withdrawal of this rejection with regard to claim 22 is respectfully requested.

For example, the present invention is characterized in that the controller 20 does not have a memory unit for storing printing data, thereby realizing a compact controller in size, minimum page skipping and minimum double printing, while controllers in the prior art have an exclusive memory unit. However, as the Examiner stated, "the controller 20 does not have a memory unit" and "the controller 20 has units for storing data" contradict each other because units for storing data can be regarded as a memory unit. Incidentally, the memory unit in the claims is exclusively provided in the controller and the units for storing data are not exclusively provided in the controller but merely areas in a memory such as a RAM to constitute the controller (please refer to the description on page 22, lines 7 to 15 in the specification). This means that the network control unit 21 having the receiving buffer 21a and the transmitting buffer 21b, printing data analyzing units 22n and the preset data storing unit 23 are provide in a RAM.

In addition, please note that "without retaining any of the printing data" can be regarded as —without accumulating the printing data - - or - - temporarily retaining the printing data— because a memory unit provided in a controller according to the prior art has a capacity of at least 2 MB for storing printing data corresponding to one page, which generally has a capacity of 32, 64 or 128MB if it is a flash memory or a larger size capacity if it is a magnetic disc, therefore the unit is capable of accumulating a large amount of printing data. On the other hand, according to the invention, only 4 kB memory size is required for storing printing data corresponding to one or two lines.

Claim Rejections under 35 USC §102

Claims 1, 3, 5, 7-12 and 14-18 are rejected under 35 USC §102(e) as being anticipated by Mizutani.

This rejection is respectfully traversed.

Independent claim 1, as amended, now callS for *a controller that receives printing data for each page from a host, having a data transferring unit that transfers the printing data to a printer without having an exclusive memory unit for storing the printing data in the controller when printing is resumed after an error has occurred in the printer and controls the printer to print the printing data while monitoring states thereof.* Independent claims 11 and 12 are drawn to similar embodiments. It is respectfully submitted that these features of the claimed invention are <u>not</u> disclosed nor fairly suggest in <u>Mizutani</u>. Therefore, the claimed invention is not anticipated by <u>Mizutani</u>. Should the Office believe these features are disclosed in <u>Mizutani</u>, a citation as to the column number and line numbers is respectfully requested.

In view of the aforementioned amendments and accompanying remarks, all pending claims are in condition for allowance, which action, at an early date, is requested.
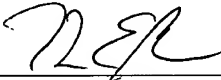
U.S. Patent Application Serial No. 09/212,393
Attorney Docket No. 981488

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully submitted,

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TEB/jnj
Enclosure: Petition for Extension of Time ($110.00 one month)

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